

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
WESTERN DIVISION**

Energy Transfer Equity, L.P., and Energy  
Transfer Partners, L.P.,

Plaintiffs,

Greenpeace International (aka "Stichting  
Greenpeace Council"); Greenpeace, Inc.;  
Greenpeace Fund, Inc.; Banktrack (aka  
"Stichting Banktrack"); Earth First!; and  
John and Jane Does 1-20,

Defendants.

Case No. 1:17-cv-00173

**DECLARATION OF LAUREN  
TABAKSBLAT IN SUPPORT OF  
PLAINTIFFS' RESPONSE TO  
COURT'S ORDER TO SHOW  
CAUSE, OR IN THE  
ALTERNATIVE, MOTION FOR  
LEAVE TO AMEND THE  
COMPLAINT**

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I, Lauren Tabaksblat, pursuant to 28 U.S.C. § 1746, hereby declare and state as follows:

1. I am a member of the law firm Kasowitz Benson Torres LLP, counsel for Energy Transfer Equity, L.P. and Energy Transfer Partners, L.P. (collectively, "Plaintiffs" or "Energy Transfer"). I respectfully submit this declaration in support of Plaintiffs' response to the Court's July 23, 2018 order to show cause as to why Earth First! should not be dismissed as a party to this action, or in the alternative for leave to pursue limited discovery or amend the Complaint to include Earth First! Journal, Daily Planet Publishing, and certain individuals associated with Earth First! as defendants.

2. Attached hereto as **Exhibit 1** is a true and correct copy of a news article by Panagioti Tsolkas for the Earth First! Newswire, "Direct Action: What It Is and Why We Use It," which states that Tsolkas has "15 years of on-the-ground EF! organizing experience" and is "coordinating to release an updated version of the *Earth First! Direct Action Manual*," earthfirstjournal.org, Nov. 12, 2013, *available at* <https://earthfirstjournal.org/newswire/2013/11/12/direct-action-what-it-is-and-why-we-use-it/>

(last visited Aug. 1, 2018).

3. Attached hereto as **Exhibit 2** is a true and correct copy of the “Speaker List” page for the Earth First! Speakers Bureau, which states that Tsolkas has been an “EF! activist organizer since 1997” and “has been on the planning committee of 4 Earth First! Organizers Conferences (2000, 2006, 2008, and 2011),” *earthfirstspeakersbureau.wordpress.com, available at* <https://earthfirstspeakersbureau.wordpress.com/speaker-list/> (last visited Aug. 1, 2018).

4. Attached hereto as **Exhibit 3** is a true and correct copy of Earth First! Journal’s “The EF! Direct Action Fund” Page, dated March 5, 2012, which states that “Since 1985, the Earth First! Direct Action Fund has assisted in planning, coordinating and funding the frontline activists who are the backbone, indeed the heart and soul, of the Earth First! Movement. Without this financial support, many actions would never get off the ground. The Earth First! Direct Action Fund provides donations so that activists will have access to action resources: tools, climbing equipment, props, banners and transportation.”

5. Attached hereto as **Exhibit 4** is a true and correct copy of Earth First! Journal’s sales page for the “Earth First! Direct Action Manual, Third Edition,” which states that “all money from DAM sales goes to support the Earth First! movement through the Direct Action Fund, DAM Collective, and the *Earth First! Journal*,” *available at* <https://earthfirstjournal.org/store/product/earth-first-direct-action-manual-third-edition/> (last visited Aug. 1, 2018).

6. Attached hereto as **Exhibit 5** is a true and correct copy of a news article, Earth First! Newswire, *The Earth First! Direct Action Manual is Once Again Available Online—to Buy, or Read for Free*, which states that “[p]roceeds go to supporting the *Earth First! Journal* and the Earth First! Direct Action Fund,” *earthfirstjournal.org*, Jun. 18, 2015, *available at*

<https://earthfirstjournal.org/newswire/2015/06/18/the-earth-first-direct-action-manual-is-once-again-available-online-to-buy-or-read-for-free/> (last visited Aug. 1, 2018).

7. Attached hereto as **Exhibit 6** is a true and correct copy of the “About the Newswire” page, earthfirstjournal.org, *available at* <https://earthfirstjournal.org/newswire/about/> (last visited Aug. 1, 2018).

8. Attached hereto as **Exhibit 7** is a true and correct copy of excerpted pages of *Earth First! Direct Action Manual*, Third Edition, Earth First! Journal (2015).

9. Attached hereto as **Exhibit 8** is a true and correct copy of excerpted pages of *Ecodefense: A Field Guide to Monkeywrenching*, Third Edition, Earth First! Journal (1993).

10. Attached hereto as **Exhibit 9** is a true and correct copy of the statement by Jessica Reznicek and Ruby Montoya dated July 24, 2017, re-published on Earth First! Journal’s website, earthfirstjournal.org, *available at* <https://earthfirstjournal.org/newswire/2017/07/24/two-women-claim-responsibility-for-dapl-fires-and-valve-destruction/> (last visited Aug. 1, 2018).

11. Attached hereto as **Exhibit 10** is a true and correct copy of a news article, Earth First! Newswire, *Arson Investigation Underway on Three Bakken Pipeline Sites*, earthfirstjournal.org, Aug. 2, 2016, *available at* <https://earthfirstjournal.org/newswire/2016/08/02/arson-investigation-underway-on-three-bakken-pipeline-sites/> (last visited Aug. 1, 2018).

12. Attached hereto as **Exhibit 11** is a true and correct copy of a news article, Earth First! Newswire, *Dakota Access Pipeline Sabotaged in Two States*, earthfirstjournal.org, Mar. 23, 2017, *available at* <https://earthfirstjournal.org/newswire/2017/03/23/dakota-access-pipeline-sabotaged-in-two-states/> (last visited Aug. 1, 2018).

13. Attached hereto as **Exhibit 12** is a true and correct copy of a news article, Earth

First! Newswire, *Interview with Ruby Montoya and Jessica Reznicek*, earthfirstjournal.org, July 28, 2017, *available at* <https://earthfirstjournal.org/newswire/2017/07/28/interview-with-ruby-montoya-and-jessica-renzicek/> (last visited Aug. 1, 2018).

14. Attached hereto as **Exhibit 13** is a true and correct copy of an affidavit of service on Grayson Bauer Flory, dated July 30, 2018.

15. Attached hereto as **Exhibit 14** is a true and correct copy of an affidavit of service on Marion De Jong, dated July 30, 2018.

16. Attached hereto as **Exhibit 15** is a true and correct copy of an affidavit of attempted service on Panagioti Tsolkas, dated July 31, 2018.


17. Attached hereto as **Exhibit 16** is a true and correct copy of a news article, Earth First! Newswire, *Mariner East 2 Pipeline Sabotaged*, earthfirstjournal.org, Apr. 11, 2018, *available at* <https://earthfirstjournal.org/newswire/2018/04/11/mariner-east-2-pipeline-sabotaged/> (last visited Aug. 1, 2018).

18. Attached hereto as **Exhibit 17** is a true and correct copy of a news article, Earth First! Newswire, *Pennsylvania: Sabotage at Mariner East 2 Pipeline Construction Site*, earthfirstjournal.org, July 19, 2018, *available at* <https://earthfirstjournal.org/newswire/2018/07/19/pennsylvania-sabotage-at-mariner-east-2-pipeline-construction-site/> (last visited Aug. 1, 2018).

19. Attached hereto as **Exhibit 18** is a true and correct copy of Greenpeace USA's "Jobs and Internship" posting for "Pipeline Organizer," dated April 17, 2018.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signed this 1<sup>st</sup> day of August 2018 in New York, New York.



Lauren Tabaksblat